

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)

Docket No.
2000-0702-ORJ

In Re Application Of: Brian Hawtin

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09701,140	November 21,	Shobha Kantamneni	002476	1617	

Invention: FORMULATION

*for fee
only*

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of July 28, 2004 the above-identified application.
Date

The requested extension is as follows (check time period desired):

One month Two months Three months Four months Five months

from: November 23, 2004 until: December 22, 2004
Date

The fee for the extension of time is \$120 and is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0789
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0789
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: December 22, 2004

Mark J. Burns, Reg. No. 46,591
Haugen Law firm PLLP
121 South Eighth Street
Suite 1130
Minneapolis, MN 55402

12/10/2004 MIREKONEN 00000014 09701140

01 FC:1251 120.00 DA

CC:

1/13/2005 FPATTERS 00000003 500789 09701140

1 FC:1252 330.00 DA

Adjustment Date: 03/28/2005
01/13/2005 FPATTERS 00000003
01 FC:1252 330.00 CR

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
December 22, 2004
<i>Kirsten J. Norberg</i> (Date) Signature of Person Mailing Correspondence
Kirsten J. Norberg Typed or Printed Name of Person Mailing Correspondence

P12LARGE/REV08

Best Available Copy

Patent Application

Docket No. 2000-0702.ORI

UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Brian Hawtin
Serial No. 09/701,140
Filed : November 21, 2000
For : FORMULATION

Date: February 7, 2005
Art Unit 1619
Exam: Lauren Q. Wells

REQUEST FOR REFUND TO DEPOSIT ACCOUNT

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

In reviewing a recent statement of our Deposit Account No. 50-0789, it was discovered that a charge of \$330 was made on January 13, 2005 by the Commissioner in the above-identified patent application. Presumably, this charge was applied for payment of the difference between the fee under 37 CFR §1.136(a) for a two-month petition for extension of time and the fee for a one-month petitions for extension of time, which was included in a response filed December 22, 2004. Such a charge is believed to be in error, since the response of December 22, 2004 was filed within one month of the mailing of an Advisory Action dated November 23, 2004.

A Final Office Action was issued in this case on July 28, 2004. A response to the Final Office Action was filed on September

28, 2004 (Exhibit A). Since the reply was made within two months of the date of the Final Office Action, the shortened statutory period expires three months from the date of the final rejection or on the date the Advisory Action is mailed, whichever is later (See MPEP §706.07(f)). Here, an Advisory Action was indeed issued and was dated November 23, 2004, thus establishing the end date for the period to reply to the Final Office Action as November 23, 2004 (Exhibit B). On December 22, 2004, a Notice of Appeal was filed in response to the Advisory Action along with a Petition under 37 CFR §1.136(a) for a one-month Extension of Time, and the appropriate petition fee of \$120.

As a result, the undersigned respectfully requests that Deposit Account No. 50-0789 be credited in the amount of \$330 in view of the fact that the reply dated December 22, 2004 was filed within one month of the expiration of the shortened statutory period that was established by the November 23, 2004 mailing date of the Advisory Action.

Respectfully submitted,

HAUGEN LAW FIRM PLLP



Mark J. Burns, Reg. #46591
Attorney for Applicant
1130 TCF Tower
121 South Eighth Street
Minneapolis, MN 55402
Phone: 612-339-8300

Attachment(s)

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
2000-0702.ORI

In Re Application Of: Brian Hawtin

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/701,140	November 21, 2000	Lauren Q. Wells	022476	1617	

Title:

FORMULATION

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

a Request for Refund to Deposit Account

in the above identified application.

- No additional fee is required.
- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 50-0789 as described below.
 - Charge the amount of _____
 - Credit any overpayment.
 - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



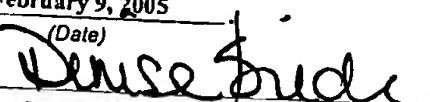
Signature

Dated: February 9, 2005

Mark J. Burns

Best Available Copy

cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
February 9, 2005	
(Date)	
	
Signature of Person Mailing Correspondence	
Denise L. Siede	
Typed or Printed Name of Person Mailing Correspondence	